

Senate Bill No. 1648

CHAPTER 214

An act to add Section 25143.12 to the Health and Safety Code, relating to hazardous waste.

[Approved by Governor July 20, 1996. Filed with
Secretary of State July 22, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1648, Wright. Hazardous waste: petroleum contaminated debris.

Existing law requires the Department of Toxic Substances Control to prepare and adopt a list of hazardous wastes subject to the hazardous waste control laws. A non-RCRA hazardous waste is defined as a hazardous waste subject to the hazardous waste control laws, but which is not identified as a hazardous waste in specified federal regulations adopted pursuant to the Resource Conservation and Recovery Act of 1976.

This bill would exempt debris that is contaminated only with petroleum or any of its fractions from regulation under the hazardous waste control laws if specified conditions are met with regard to the contents and disposal of the debris.

The people of the State of California do enact as follows:

SECTION 1. Section 25143.12 is added to the Health and Safety Code, to read:

25143.12. Notwithstanding any other provision of law, debris that is contaminated only with petroleum or any of its fractions is exempt from regulation under this chapter if all of the following conditions are met:

(a) The debris consists exclusively of wood, paper, textile materials, concrete rubble, metallic objects, or other solid manufactured objects.

(b) The debris is not subject to regulation as a hazardous waste under the federal act.

(c) The debris does not contain any free liquids, as determined by the paint filter test specified in the regulations adopted by the department.

(d) The debris is disposed of in a composite lined portion of a waste management unit which is classified as either a Class I or Class II landfill in accordance with Article 3 (commencing with Section 2530) of Chapter 15 of Division 3 of Title 23 of the California Code of Regulations, the disposal is made in accordance with the applicable

requirements of the California regional water quality control board and the California Integrated Waste Management Board, and, if the waste management unit is a Class II landfill, it is sited, designed, constructed, and operated in accordance with the minimum standards applicable on or after October 9, 1993, to new or expanded municipal solid waste landfills, which are contained in Part 258 (commencing with Section 258.1) of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations, as those regulations read on January 1, 1996.

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